

REMARKS

The Official Action mailed August 13, 2003, and the prior art relied upon therein have been carefully reviewed. The claims in the present application are now claims 23 and 24, and these claims should be allowable. Applicants respectfully request favorable reconsideration and allowance.

Claim 23 has been rejected under §102 as anticipated by Sakon or Nobutoki. Applicants interpret this as being two separate rejections, both based on §102. These rejections are respectfully traversed.

The present invention is not directed to the compound *per se*, and was never intended to be directed to the compound *per se*. To make this more clear, a clause has been added at the end of claim 23. In addition, new claim 24 has been added, which calls for an organic electroluminescent element, the main and critical feature of which is the compound in question.

Neither of the references applied against claim 23 disclose (or even make obvious) applicant's invention, and applicants believe that this is quite clear without detailed argumentation.

Withdrawal of the rejections based on §102 is respectfully requested.

Claim 23 has also been rejected on the basis of obviousness-type double patenting over claims 1-3 of the parent patent 6,355,365. This rejection is respectfully traversed.

Applicants believe that claim 23 defines non-obvious subject matter over the claims of the parent patent. Nevertheless, assuming that claims 23 and/or 24 is/are otherwise patentable, applicants would agree to the submission of a Terminal Disclaimer.

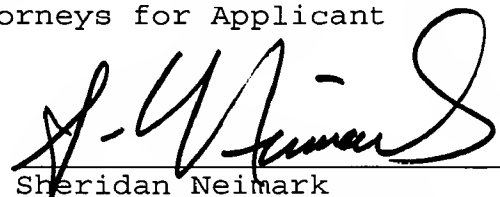
Withdrawal of the rejection is respectfully requested.

Applicants respectfully request favorable reconsideration and allowance.

Respectfully submitted,

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